

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LANCE IAN OSBAND,

Petitioner,

v.

JASON SCHULTZ, ACTING WARDEN,

Respondent.¹

No. 2:97-cv-0152 KJM CSK

DEATH PENALTY CASE

ORDER

On April 22, 2025, a remote status conference was held before this Court regarding petitioner's seventeenth and unopposed motion for a thirty-day extension of time to file objections to the findings and recommendations filed September 8, 2023. (ECF Nos. 707, 757.) Assistant Federal Defender Brian Abbington and attorney Tim Brosnan appeared on behalf of petitioner. Deputy Attorney General Erin Doering appeared on behalf of respondent. At the time petitioner filed the pending motion, petitioner did not anticipate filing further requests for extensions of time to file objections. (See ECF No. 757.) For the reasons stated at the remote hearing, including Mr. Brosnan's recent computer hacking experience that occurred after the

¹ The pending motion for extension of time indicates that Jason Schultz is now Acting Warden at California State Prison-Sacramento. Accordingly, the Clerk of the Court is directed to substitute Acting Warden Jason Schultz as respondent for former California State Prison-Sacramento Warden Jeff Lynch. See *Brittingham v. United States*, 982 F.2d 378, 379 (9th Cir. 1992) (stating that the proper respondent in a federal habeas petition is petitioner's immediate custodian).

1 extension motion was filed, this Court found good cause and granted petitioner a sixty-day
2 extension of time to file objections. Though it is not anticipated that any further extensions will
3 be sought by petitioner, petitioner shall notify the Court as soon as possible if counsel determines
4 that additional time is needed.

5 Petitioner, through counsel, also applied for an order sealing a confidential declaration
6 submitted to this Court in support of the motion for extension of time to file objections. Good
7 cause appearing, petitioner's request to seal the confidential declaration is granted.

8 Good cause appearing, IT IS HEREBY ORDERED that:

- 9 1. Petitioner's seventeenth motion for an extension of time (ECF No. 757) is granted;
- 10 2. Petitioner's objections are due on or before June 23, 2025;
- 11 3. Petitioner's request to seal the confidential declaration is granted;
- 12 4. The Clerk of the Court shall file under seal the confidential declaration submitted by
13 petitioner's counsel on April 10, 2025 in support of the seventeenth motion for an extension of
14 time to file objections; and
- 15 5. The Clerk of the Court is directed to substitute Acting Warden Jason Schultz as
16 respondent.

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18 Dated: April 22, 2025

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20 CHI SOO KIM
21 UNITED STATES MAGISTRATE JUDGE

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